

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI JUSTICE C.V.RAMULU

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WRIT PETITION NO : 25301 of 2004

Between:

- 1 Younus Salim, S/o. Late Bikkam Saheb,
R/o. 9-8-18 Chota Bazar, Golconda Bazar, Hyderabad. Rep. by their
GPA Holder zulfiqar S/o. late Bikkan Saheb,
Aged 28 Years, R/o. Chota Bazar, Golconda, Hyderabad.
- 2 Mahmood Anwar, S/o. Late Bikkan Saheb,
Rep. by their GPA Holder zulfiqar S/o. late Bikkan Saheb,
Aged 28 Years, R/o. Chota Bazar, Golconda, Hyderabad.
- 3 Zulfiqar Ali, S/o. Late Bikkan Saheb,
R/o. Chota Bazar, Golconda, Hyderabad.

..... PETITIONERS

AND

- 1 The Joint Collector, Ranga Reddy District, Lakdikapool, Hyderabad.
- 2 The Revenue Divisional Officer, Vikarabad Revenue Division,
Ranga Reddy District.
- 3 Mandal Revenue Officer, Vikarabad Mandal, Ranga Reddy District.
- 4 Khasim Ali, S/o. Late Abdul Qadir,
R/o. Opp: Mosque Shiva Reddy Village, Vikarabad Mandal, Ranga
Reddy District.
- 5 Dr. A. Chandrsekhar, S/o. A. Balaiah,
R/o. 3-2A vijya Housing Cooperative Society, Hyderabad.
- 6 Smt. c. Sri Devi, W/o. C. Pondariram,
R/o. New Gunj, Vikarabad.
- 7 Kishan Naik, S/o. Ramji,
R/o. Vikarabad, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, one more particularly in the nature of a Writ of "Mandamus" declaring the action of the 2nd respondent in issuing orders in File No.C/1961/2004 dated 13-12-2004 as being illegal, arbitrary and unconstitutional and contrary to the provisions of A.P. Rights in Land and Pattedar Pass Books Act, 1971 and further declare the inaction of the 1st respondents in failing to exercise the revisionary powers under Section 9 of the Act and in failing to consider the application for stay expeditiously as being arbitrary, illegal and unconstitutional and consequently set aside the proceedings of the 2nd respondent in File No.C/1961/2004 dated 13-12-2004 and pass such other order or orders

Counsel for the Petitioner: MR.T.SRIKANTH REDDY

Counsel for the Respondent Nos. 1to 3 : GP FOR REVENUE

Counsel for the Respondent Nos. 4 to 7 : None appeared

The Court made the following :

ORDER:

This writ petition is filed challenging the orders passed by the 2nd respondent-the Revenue Divisional Officer, Vikarabad, in his file No. C/1961/04 dated 13-12-2004, wherein the 3rd respondent-the Mandal Revenue Officer, Vikarabad was directed to implement the sale deeds in favour of the petitioner therein by correcting the records as per the partition deed dated 12-3-1980 executed as between Md. Khasim Ali and Smt Khasim Bee, Sharifa Bee, w/o. Shaik Bikkam and to take necessary steps for amendment of the records.

Petitioners herein are the respondents in the impugned order. Aggrieved by the said order dated 13-12-2004, the petitioners filed a statutory appeal before the Joint Collector, Ranga Reddy District which is available to them. It is the contention of the petitioners herein that though the appeal was entertained by the Authority, the stay petition preferred by them seeking suspension of the impugned order passed by the Revenue Divisional Officer which was under challenge before the Joint Collector, Vikarabad has not yet been taken up and disposed of. Hence, the writ petition.

In view of the above circumstances, without going in to merits of the case, I feel it appropriate that the only direction that can be issued to the Joint Collector (1st respondent herein) is to dispose of the stay petition filed by the writ petitioners along with the statutory appeal, on its own merits, within a period of two weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No costs.

C.V. RAMULU , J

Dt. 2-2-2005

To

- 1 The Joint Collector, Ranga Reddy District, Lakdikapool, Hyderabad.
- 2 The Revenue Divisional Officer, Vikarabad Revenue Division,
Ranga Reddy District.
- 3 Mandal Revenue Officer, Vikarabad Mandal, Ranga Reddy District.
- 4 Two CCs to GP for Revenue, High Court Buildings, Hyd.(OUT)

5. Two CD copies.